Serial No. 10/574,967 Response to 1/4/10 Office Action Page 7

## REMARKS

The Office is requiring a restriction to a single elected invention. Applicant elects Group I, claims 1-3 and 6-11, drawn to an amino acid. Applicant is amending the claims herein to show the withdrawal of non-elected subject matter and reserves the right to pursue the canceled matter in a later-filed divisional application if the matter is not rejoined here.

The Office also is requiring Applicants to elect a single species of enriched amino acid for prosecution as the invention. Applicant elects  $1.2^{-13}C_2$ ,  $^{15}N$ ,  $^2H_8-L-Valine$ , the structure of which is pictured below.

$$H_3^{15}N^{+} = 13CD^{-}$$
 $CD_3$ 

The Office has objected to claims 2, 5, 7, 13, 16 and 19 as of improper dependent form. Claims 13, 16 and 19 are withdrawn herein as drawn to non-elected subject matter. These objections therefore are moot. Should these claims be rejoined, Applicant will revisit the issue of dependent form.

The objection to claim 5 is based upon the assertion that this claim depends "from another method of making claim 4 and failing to depend from the product claim 1 (like method of making claim 4) further limit the subject matter of a previous claim." Claim 5 depends from claim 2, which is a product claim that depends from claim 1. Therefore, claim 5 does not depend from

Serial No. 10/574,967 Response to 1/4/10 Office Action Page 8

any method of making claim or from claim 4 and does depend (indirectly) from claim 1. Claim 5 further limits the subject matter of product claim 2 by reciting steps for the method of synthesizing. Applicant submits that the objection is in error and should be withdrawn.

Claims 2 and 7 are objected to for the stated reason that these claims fail to further limit the previous claims. Applicant is canceling claim 2 herein. Claims 5 and 7 are being amended to change the dependency from (canceled) claim 2 to claim 1 herein. Applicant submits that the objections are overcome and requests their withdrawal.

Applicant requests examination on the merits and favorable consideration of the application at this time.

Respectfully submitted,

Ву

Martha Cassidy Attorney for Applicants Registration No. 44,066

Registration No. 44/066 ROTHWELL, FIGG, ERNST & MANBECK Suite 800, 1425 K Street, N.W. Washington, D.C. 20005

Telephone: (202)783-6040

1748330